

2014-UNAT-451, Sannoh

UNAT Held or UNDT Pronouncements

UNAT considered the Secretary-General's appeal regarding whether UNDT erred in ordering both an extension of Mr Sannoh's appointment and payment of a termination indemnity. UNAT noted that UNMIS Information Circular No. 334 provided that staff with fixed-term appointments that are due to expire shortly will have their appointments extended for one year and, should a staff member's function no longer be required by the mission prior to the expiration of their fixed-term appointment, a termination indemnity may be payable in accordance with Staff Regulation 9. 3 and Annex III of the Staff Rules. In light of this reasoning, UNAT affirmed UNDT's finding that Mr Sannoh was entitled to compensation for the breach of his entitlement under the Information Circular, as his periodical extensions totalled less than a year. UNAT also affirmed UNDT's finding that Mr Sannoh was entitled to a termination indemnity in accordance with the law. UNAT dismissed the appeal and affirmed the UNDT judgment.

Decision Contested or Judgment/Order Appealed

Mr Sannoh contested the decision to separate him from service. UNDT held that Mr Sannoh was entitled to a termination indemnity under Annex III of the Staff Rules and ordered that his contract be extended from 30 June 2012 to 31 August 2012, or in the alternative, that he be paid one month's net base salary at his functional level at the time of the contested decision. UNDT also ordered that Mr Sannoh be paid termination indemnity in accordance with Staff Regulation 9. 3 and Annex III to the Staff Rules.

Legal Principle(s)

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Outcome

Appeal dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Sannoh

Entity

UNMIS

Case Number(s)

2013-520

Tribunal

UNAT

Registry

New York

Date of Judgement

27 Jun 2014

President Judge

Judge Adinyira

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Benefits and entitlements

Non-renewal

Separation from service

Expiration of appointment (see also, Non-renewal)

Termination of appointment (see also, Termination of appointment)

Termination (of appointment)

Abolition of position

Applicable Law

Other UN issuances (guidelines, policies etc.)

Staff Regulations

- Regulation 9.3(c)

Related Judgments and Orders

UNDT/2013/095

UNDT/2011/012